



PLANNING COMMISSION AGENDA

LEE BRAND, Chair

Commission Members
ROJELIO VASQUEZ, Vice Chair
LORI CHERRY
NAT DIBUDUO
HAL KISSLER
CHARLES VANG

Planning and Development
Director/Secretary
NICK P. YOVINO

Deputy City Attorney
KATHRYN C. PHELAN

The Planning Commission welcomes you to this meeting.

October 5, 2005

Wednesday

6:00 p.m. to 9:30 p.m.

COUNCIL CHAMBER

2600 FRESNO STREET

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call Planning and Development staff at 621-8277.

Metered parking is in effect throughout the downtown area. The general public wishing to attend a Planning Commission meeting at City Hall may park after 5 p.m. in the parking lot at the northeast corner of Tulare and P Streets or in the parking lot east of City Hall across the railroad tracks. Both parking lots have entrances from Tulare Street, and parking restrictions have been relaxed in these lots for those in attendance at the Commission meeting.

- I. **ROLL CALL**
- II. **PLEDGE OF ALLEGIANCE**
- III. **PROCEDURES**

In accordance with Section 13 of Article 2 of the Planning Commission Rules and Regulations governing length of public debate, all testimony given will be limited to five minutes per person. The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker. The green light will be turned on when the speaker begins. The yellow light will come on with a soft bell ring when one minute is remaining. The speaker should be completing the testimony by the time the red light comes on with a final bell indicating that time has expired.

If you challenge these land use matters in court, you may be limited to raising only those issues you or someone else raised in oral or written testimony at or before the close of the hearing.

For each matter considered by the Commission, there will first be a staff presentation, followed by a presentation from the project applicant. Testimony from supporters of the project will then be taken, followed by testimony from those in opposition. The applicant will have the right to a final rebuttal presentation prior to closing the public hearing.

IV. AGENDA APPROVAL

- A. Consent Calendar Requests
- B. Continuance Requests
- C. Other Agenda Changes

V. CONSENT CALENDAR

All Consent Calendar items are considered by the Planning Commission to be routine and will be enacted in one motion. There will be no separate discussion of these items unless requested, in which event the items will be removed from the Consent Calendar and considered prior to approval of the Consent Calendar. If any member of the public wishes to have a specific item removed for discussion, be present when the meeting is called to order and the Chair announces the Consent Calendar. Commission approval of Consent Calendar items for which there is no discussion shall constitute adoption of the staff recommendation.

- A. Minutes – Approve meeting minutes of February 9 and July 13, 2005
- B. Communications
- C. Entitlements

VI. REPORTS BY COMMISSIONERS

VII. CONTINUED MATTERS

- A. Consideration of Conditional Use Permit Application No. C-04-190, and environmental findings, filed by Jasbinder Singh on behalf of Winston Capital Group, pertaining to a 2.93-acre parcel of land located on the northwest corner of West Ashlan and North Blythe Avenues (4470 West Ashlan Avenue). ***(Continued from meeting of September 21, 2005.)***
 - 1. Environmental Assessment No. C-04-190, determination of Initial Study to file a Categorical Exemption from the requirements of the California Environmental Quality Act (CEQA).
 - 2. Conditional Use Permit Application No. C-04-190 requests authorization to permit off-sale liquor sales within a 3,600 square-foot grocery store in an existing shopping center in the C-6/UGM (*Heavy Commercial/Urban Growth Management*) zone district.
 - West Area Community Plan Area
 - Council District 1 (Councilmember Boyajian)
 - Staff Member: Sophia Pagoulatos
 - Staff Recommendation: Approval
 - May be considered by City Council

VII. CONTINUED MATTERS – Continued

B. CONTINUE TO OCTOBER 19, 2005

Consideration of Rezone Application No. R-04-93, Vesting Tentative Tract Map No. 5358/UGM, Conditional Use Permit Application No. C-04-246, and environmental findings, filed by Harbour and Associates on behalf of Riverfront Ventures, LLC, pertaining to 51.8 acres of property located on the northwest corner of North Josephine Avenue and North Riverside Country Club Drive, south of the San Joaquin River Bluff. ***(Continued from meetings of August 31 and September 21, 2005.)***

1. Environmental Assessment No. R-04-93/T-5358/C-04-246, determination of Initial Study to file a Mitigated Negative Declaration.
2. Rezone Application No. R-04-93 proposes to rezone the subject property from the AE-5/UGM (*Exclusive Five Acre Agricultural/Urban Growth Management*) zone district and AE-20/UGM (*Exclusive Twenty Acre Agricultural/Urban Growth Management*) zone district to the R-1/BP/UGM (*Single Family Residential/Bluff Preservation Overlay/Urban Growth Management*) zone district.
3. Vesting Tentative Tract Map No. 5358/UGM proposes to subdivide the subject property into a 231-lot single family residential subdivision.
4. Conditional Use Permit Application No. C-04-246 proposes a private street development for 141 of the 231 lots including reduced lot size standards and common open space.
 - Bullard Community Plan Area
 - Council District 2 (Councilmember Calhoun)
 - Staff Member: Arnaldo Rodriguez
 - Staff Recommendation: Recommend Approval of the Rezone Application;
Approve Vesting Tentative Tract Map and Conditional Use Permit Application
 - Will be considered by City Council (Rezone Application only)

VII. CONTINUED MATTERS – *Continued*

- C. Consideration of Rezone Application No. R-05-10, Vesting Tentative Tract Map No. 5471/UGM, and environmental findings, filed by Ed Dunkel, pertaining to 5 acres of property located on the east side of the North Chestnut Avenue alignment between East Copper and East International Avenues. The project also includes the detachment of the subject property from the Fresno County Fire Protection District and annexation to the City of Fresno for which the Fresno County Local Agency Formation Commission is the responsible agency. ***(Continued from meetings of August 31, September 7 and 21, 2005.)***
1. Environmental Assessment No. R-05-10/T-5471, determination of Initial Study to file a Finding of Conformity to MEIR No. 10130 for the 2025 Fresno General Plan.
 2. Rezone Application No. R-05-10 proposes to rezone the subject property from the AE-20 (*Limited Twenty Acre Agricultural, Fresno County*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district subject to the property being annexed to the City of Fresno.
 3. Vesting Tentative Tract Map No. 5471/UGM proposes to subdivide the subject property into a 15-lot single family residential subdivision.
 - Woodward Park Community Plan Area
 - Council District 6 (Councilmember Duncan)
 - Staff Member: Donn Beedle
 - Staff Recommendation: Recommend Approval of the Rezone Application;
Approve Vesting Tentative Tract Map and Conditional Use Permit Application
 - Will be considered by City Council (Rezone Application only)

VII. CONTINUED MATTERS – Continued

D. CONTINUE TO OCTOBER 19, 2005

Consideration of Rezone Application No. R-04-48, Conditional Use Permit Application No. C-04-126, and environmental findings, filed by Vigen and Associates on behalf of James Medina, pertaining to 0.19 acre of property located on the southeast corner of East Princeton Avenue and North Van Ness Boulevard. ***(Continued from meeting of September 21, 2005.)***

1. Environmental Assessment No. R-04-48/C-04-126, determination of Initial Study to file a Finding of Conformity to MEIR 10130 for the 2025 Fresno General Plan.
2. Rezone Application No. R-04-48 proposes to rezone the subject property from the R-1 (*Single Family Residential*) zone district to the C-5 (*General Commercial*) zone district.
3. Conditional Use Permit Application No. C-04-126 proposes authorization to allow the use of the existing building as an automobile repair facility including the addition of a canopy structure along the Princeton Avenue frontage of the existing historic Russ Clements Gas Station located at 2740 North Van Ness Boulevard.
 - Tower District Specific Plan Area
 - Fresno High-Roeding Community Plan Area
 - Council District 1 (Councilmember Boyajian)
 - Staff Member: Mike Sanchez
 - Staff Recommendation: Continue to October 19, 2005
 - Will be considered by City Council (Rezone Application only)

E. CONTINUE TO OCTOBER 19, 2005

Consideration of Rezone Application No. R-05-18, Vesting Tentative Tract Map No. 5501/UGM, and environmental findings, filed by JS Land Company, pertaining to approximately 37 acres of property located on the southeast corner of South Armstrong and East Clinton Avenues. ***(Continued from meeting of September 21, 2005.)***

1. Environmental Assessment No. R-05-18/T-5501, determination of Initial Study to file a Finding of Conformity to MEIR No. 10130 for the 2025 Fresno General Plan.
2. Rezone Application No. R-05-18 proposes to rezone the subject property from the RR (*Rural Residential, Fresno County*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district.
3. Vesting Tentative Tract Map No. 5501/UGM proposes to subdivide the subject property into a 79-lot single family residential subdivision.
 - McLane Community Plan Area
 - Council District 4 (Councilmember Westerlund)
 - Staff Member: David Braun
 - Staff Recommendation: Continue to October 19, 2005
 - Will be considered by City Council (Rezone Application only)

VII. CONTINUED MATTERS – Continued

F. CONTINUE TO OCTOBER 19, 2005

Consideration of Plan Amendment Application No. A-04-27, Rezone Application No. R-04-86, and environmental findings, filed by the Land Dynamics, pertaining to 21.42 acres of property located on the north side of West Barstow Avenue between Highway 99 and the North Bryan Avenue alignment. ***(Filed in 2004 during Cycle III) (Continued from meeting of September 28, 2005.)***

1. Environmental Assessment No. A-04-27/R-04-86, determination of initial study to file a Mitigated Negative Declaration.
2. Plan Amendment Application No. A-04-27 proposes to amend the 2025 Fresno General Plan and West Area Community Plan from the medium-high density residential planned land use to the light industrial land use.
3. Rezone Application No. R-04-86 proposes to rezone the subject property from the AE-5/UGM (*Exclusive Five Acre Agricultural/Urban Growth Management*) and the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone districts to the M-1/UGM (*Light Manufacturing/Urban Growth Management*) zone district.
 - West Area Community Plan
 - Council District 2 (Councilmember Calhoun)
 - Staff Member: Sandra Brock
 - Staff Recommendation: Recommend Approval
 - Will be considered by the City Council

G. CONTINUE TO OCTOBER 19, 2005

Consideration of Plan Amendment Application No. A-04-37, Rezone Application No. R-04-112, Conditional Use Permit Application No. C-04-341, and environmental findings, filed by Derrel's Mini Storage, pertaining to 13.44 acres of property located on the west side of South Clovis Avenue between East Jensen and East Church Avenues. The applications would authorize development of a mini-storage project with temporary RV storage and a caretaker's residence. The project also includes the detachment of the subject property from the Kings River Conservation District and the Fresno County Fire Protection District and annexation to the City of Fresno for which the Fresno County Local Agency Formation Commission (LAFCO) is the responsible agency. ***(Filed in 2005 during Cycle I) (Continued from meeting of September 28, 2005.)***

1. Environmental Assessment No. A-04-37/R-04-112/C-04-341, determination of initial study to file a Mitigated Negative Declaration.
2. Plan Amendment Application No. A-04-37 proposes to amend the 2025 Fresno General Plan and the Roosevelt Community Plan from the medium density residential planned land use designation to the office commercial land use designation.
3. Rezone Application No. R-04-112 proposes to rezone the subject property from the AE-20 (*Exclusive Twenty Acre Agricultural, Fresno County*) zone district to the S-L/UGM (*Storage Limited/Urban Growth Management*) zone district.
4. Conditional Use Permit Application No. C-04-341 proposes a three-phase mini storage facility with caretaker residence and temporary RV storage; first phase is for 150,550 square feet of storage structures.
 - Roosevelt Community Plan
 - Council District 5 (Councilmember Dages)
 - Staff Member: Sandra Brock
 - Staff Recommendation: Recommend Approval
 - Will be considered by the City Council

VII. CONTINUED MATTERS – Continued

H. CONTINUE TO OCTOBER 19, 2005

Consideration of Plan Amendment Application No. A-05-06, Rezone Application No. R-05-35, Conditional Use Permit Application No. C-05-114, and environmental findings, filed by Sol Development Associates LLC on behalf of Kernback LP, pertaining to the northernmost 10.81-acre portion of the 25.91-acre subject property located on the south side of East Kings Canyon Road between South Peach and South Minnewawa Avenues. The project also includes the detachment of the subject property from the Kings River Conservation District and the Fresno County Fire Protection District for which the Fresno County Local Agency Formation Commission (LAFCO) is the responsible agency. ***(Filed in 2005 during Cycle II) (Continued from meeting of September 28, 2005.)***

1. Environmental Assessment No. A-05-06/R-05-35/C-05-114, determination of initial study to file a Mitigated Negative Declaration.
2. Plan Amendment Application No. A-05-06 proposes to amend the 2025 Fresno General Plan and the Roosevelt Community Plan for the approximately 10.81 acres from the open space/community park and the alternative medium-low density residential planned land use designation to the office commercial land use designation.
3. Rezone Application No. R-05-35 proposes to rezone the northern 10.81-acre portion of the subject site from the AE-20 (*Exclusive Twenty Acre Agricultural, Fresno County*) zone district to the S-L/UGM (*Storage Limited/Urban Growth Management*) zone district.
4. Conditional Use Permit Application No. C-05-114 proposes a mini-storage facility with caretaker residence and RV storage.
 - Roosevelt Community Plan
 - Council District 5 (Councilmember Dages)
 - Staff Member: Kevin Fabino
 - Staff Recommendation: Continue Hearing to October 19, 2005

VII. CONTINUED MATTERS – Continued

I. CONTINUE TO OCTOBER 19, 2005

Consideration of Plan Amendment Application No. A-05-07, Rezone Application No. R-05-36, and environmental findings, filed by Sol Development Associates LLC on behalf of owners Winston Capital Group LLC and the Hazel M. Terzian Living Trust, pertaining to 16.73 acres of property located on the northwest corner of East Jensen and North Clovis Avenues. The project also includes the detachment of the subject property from the Kings River Conservation District and the Fresno County Fire Protection District for which the Fresno County Local Agency Formation Commission is the responsible agency. ***(Filed in 2005 during Cycle II) (Continued from meeting of September 28, 2005.)***

1. Environmental Assessment No. A-05-07/R-05-36, determination of initial study to file a Mitigated Negative Declaration.
2. Plan Amendment Application No. A-05-07 proposes to amend the 2025 Fresno General Plan and the Roosevelt Community Plan to redesignate 8± acres of the subject property from the neighborhood commercial planned land use designation and to redesignate 8.73± acres of the subject property from the medium density residential planned land use designation to the community commercial land use designation.
3. Rezone Application No. R-05-36 proposes to rezone the subject site from the AE-20 (*Exclusive Twenty Acre Agricultural, Fresno County*) zone district to the C-2/UGM (*Community Shopping Center/Urban Growth Management*) zone district.
 - Roosevelt Community Plan
 - Council District 5 (Councilmember Dages)
 - Staff Member: Sandra Brock
 - Staff Recommendation: Recommend Approval
 - Will be considered by the City Council

J. CONTINUE TO OCTOBER 19, 2005

Consideration of Plan Amendment Application No. A-05-08, Rezone Application No. R-05-37, and environmental findings, filed by Sol Development LLC, pertaining to approximately 1.47 acres of property located on the northeasterly corner of North Blackstone and East Clinton Avenues. ***(Filed in 2005 during Cycle II) (Continued from meeting of September 28, 2005.)***

1. Environmental Assessment No. A-05-08/R-05-37, determination of initial study to file a Mitigated Negative Declaration.
2. Plan Amendment Application No. A-05-08 proposes to amend the 2025 Fresno General Plan and the McLane Community Plan from the general heavy commercial (Blackstone Avenue frontage) and medium density residential planned land use designations to the neighborhood commercial land use designation.
3. Rezone Application No. R-05-37 proposes to rezone the subject property from the C-P (*Administrative and Professional Office*), C-5 (*General Commercial*), P (*Off-Street Parking*), and R-1 (*Single Family Residential*) zone districts to the C-1 (*Neighborhood Shopping Center*) zone district in order to develop a super drugstore with drive-through window. The development of the project will include the removal of existing commercial and residential structures.
 - McLane Community Plan
 - Council District 7 (Councilmember Perea)
 - Staff Member: Donn Beedle
 - Staff Recommendation: Recommend Approval
 - Will be considered by the City Council

VIII. NEW MATTERS

- A. Consideration of the abandonment of a service station located on property at 2528 Tuolumne Street based on findings of an inspection of the property by the Code Enforcement Division of the Planning and Development Department that revealed the gas pumps and island have been removed, the fire-damaged building is in a condition that constitutes "blighted" and has been vacant and boarded-up for an extended period of time, an above-ground oil storage tank remains at the site, hydraulic hoists have not been removed, a sign structure remains at the site, and the property is being used as a parking lot without benefit of conditional use permit and certificate of occupancy for such use.
- Fulton Redevelopment Project Area
 - Central Area Community Plan
 - Council District 3 (Councilmember Sterling)
 - Staff Member: Jesse Morrison
 - Staff Recommendation: Find that the service station is abandoned and order appropriate abatement of public nuisance
- B. Consideration of Rezone Application No. R-05-60, and environmental findings, filed by David Storer on behalf of Contour Development, pertaining to approximately 60 acres of property located south of West Herndon Avenue, north of West Sierra Avenue, east of the Southern Pacific Railroad right-of-way, and west of North Bryan Avenue.
1. Environmental Assessment No. R-05-60, determination of Initial Study to file a Finding of Conformity to MEIR No. 10130 for the 2025 Fresno General Plan.
 2. Rezone Application No. R-05-60 proposes to rezone the subject property from the AE-5/UGM (*Exclusive Five Acre Agricultural/Urban Growth Management*) zone district to the M-1/UGM (*Light Manufacturing/Urban Growth Management*) zone district.
 - Bullard Community Plan Area
 - Council District 2 (Councilmember Calhoun)
 - Staff Member: Shelby Chamberlain
 - Staff Recommendation: Recommend Approval
 - Will be considered by City Council

IX. REPORT BY SECRETARY

X. UNSCHEDULED ORAL COMMUNICATIONS

You may address the Planning Commission at the conclusion of the Commission meeting regarding matters of public interest that are not listed on the agenda and that are within the Commission's jurisdiction. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on the Planning Commission agenda should contact the Planning and Development Department, (559) 621-8277, at least 10 days before the desired appearance date.

XI. ADJOURNMENT